

CVR BOARD MEETING MINUTES

May 23, 2007

Marlene Gonzalez
Michael Madsen
Brian Miller
Brent Scharman
Rod Snow
Louise Speth
Karen Watkins

Ron Gordon
Consuelo Alires
Liz Benms
JoAnn Huber
Gary Scheller
Tina Stroman
Dana Thomas

Patti Jensen
Afton Ririe
Connie Wettlaufer
Nancy Wright
Judge Yeates, CCJJ

Louise Speth convened the meeting at 3:00 p.m.

1. **Minutes of the December 13, 2006 Board meeting were approved.**

2. Welcome New Board Members/CCJJ Executive Director Ron Gordon
Brian Miller, Ph.D. and Marlene Gonzalez, Esq. have been appointed by the Governor and confirmed by the Utah Senate to fill the two private citizen positions on the Crime Victim Reparations Board. Ron welcomed them to the CVR Board.

Ron introduced Judge Robert Yeates, Executive Director of the Commission on Criminal and Juvenile Justice. CVR falls within the Commission. Prior to his appointment as Executive Director of CCJJ, Judge Yeates served as the Director of the Utah Sentencing Commission, was a Juvenile Court Judge for eleven years, and was a prosecutor in the District Attorney's office for ten years.

3. Recognize Departing Members Louise Speth, Ron Gordon
Outgoing Board members Nancy Wright and Afton Ririe were honored for their service to the CVR Board. Nancy and Afton each served on the Board for ten years. They were presented with certificates acknowledging their dedicated service to CVR and victims of crime throughout the state. They were a tremendous benefit to the Crime Victim Reparations Board and will be missed.

4. Review of Claims (Closed Meeting)
A motion was made by Karen Watkins, seconded by Michael Madsen, to close the meeting for the review of claims. Motion passed. All in favor. None opposed.

A. Claim Number 149345 Ron Gordon, JoAnn Huber
A request was made for the Board to waive CVR's subrogation amount of \$11,242.63 so the victim will be able to receive some of the \$25,000 settlement. **A motion was made and seconded to deny the request to remove the lien. Motion passed. All in favor. None opposed.**

B. Claim Number 147896 Tina Stroman
The claimant requested that CVR not subrogate the \$21,000 that she received and not require her to cover the outstanding medical expenses based on the other expenses she incurred from having to drop out of school because of the incident. **A motion was made and seconded to approve payments totaling \$4,416.86 from the documentation submitted thus far and to waive the \$21,000 lien. Any incoming expenses will be paid out according to CVR rules at the discretion of the reparation officer who will bring the case back before the Board if needed. Seconded. All in favor. None opposed.**

C. Claim Number 151360

Tina Stroman

A request was made to grant secondary victim status to the victim's mother-in-law for mental health counseling and travel benefits. **A motion was made and seconded to approve the request. Motion passed. All in favor. None opposed.**

D. Claim Number 149178

Consuelo Alires

A request to increase the maximum \$500 travel award to \$2000 per victim to cover travel expenses to mental health appointments and court hearings. **A motion was made and seconded to approve the request. Motion passed. All in favor. None opposed.**

E. Claim Number 149231

Gary Scheller

The victim requested additional loss of wages beyond the twelve week maximum award. The reparation officer has received documentation from the doctor to support the request and would monitor the payout based upon the documentation. **A motion was made and seconded to approve the request for an additional 12 weeks loss of wages. Motion passed. One opposed.**

A motion was made by Karen Watkins, seconded by Michael Madsen, to reopen the meeting. Motion passed. All in favor. None opposed.

5. Sick and Annual Leave as Collateral Source

Ron Gordon, Gary Scheller

Ron presented this agenda item at the last Board meeting. Due to time constraints, the Board tabled the agenda item for discussion at the next meeting. Ron explained that the request was for the Board to remove wording from Administrative Rule R270-1-11 that requires sick leave and annual leave to be considered as a collateral source. Ron, Gary and the other staff members feel the change would be beneficial to victims. Gary said it seems to be punitive to require victims to use sick or annual leave for crime related work loss.

A motion was made and seconded to change the administrative rule so that sick leave and annual leave would no longer be considered a collateral source. Motion passed. All in favor. None opposed.

After the motion passed, a concern was raised regarding reimbursement for sick leave or annual leave that had already been used. This could potentially create a problem if the victim was compensated twice for the same days. There was lengthy discussion regarding this point. It was decided that the motion would stand, the reparation officers will make the determinations, and if problems arise, the issue will be brought back to the Board for further review.

6. Crime Victim Reparation Fund Update

Ron Gordon

This agenda item was tabled until the next meeting.

7. Medical Costs Update

Ron Gordon

This agenda item was tabled until the next meeting.

The next meeting is scheduled to be held on August 22, 2007.

The meeting was adjourned.